

**Request for Continued  
Examination (RCE)  
Transmittal**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

<i>Application No.</i>	10/673,913
<i>Filing Date</i>	September 29, 2003
<i>Named Inventor(s)</i>	
Werner Hiereth	
Jürgen Austen	
<i>Group/Art Unit</i>	3735
<i>Examiner Name</i>	Shay, David M.
<i>Attorney Docket No.</i>	10286.105001

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice. Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1222 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- i.  Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii.  Other \_\_\_\_\_.

b.  Enclosed

- i.  Amendment/Reply: Response (20 pgs.)
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other: Request to Amend the Drawings and Submission of New Formal Drawing (3 pgs.); Petition for a three-month extension of time and duplicate (2 pgs.) with a \$1,020 check.

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)

b.  Other \_\_\_\_\_.

### 3. Fees

(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0980.

i.  RCE Fee required under 37 CFR § 1.17(e)

ii.  Extension of time fee (37 CFR §§ 1.136 and 1.17)

iii.  Other \_\_\_\_\_.

b.  Checks in the amount of \$790 for the RCE fee and \$1,020 for the extension fee are enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**Signature of Applicant, Attorney or Agent Required**

William O. Isaacs, II, Esq. By: William O. Isaacs, II, Esq. Reg. No. 44,165

KING & SPALDING LLP Date: June 29, 2006

34<sup>th</sup> Floor, 1180 Peachtree Street, N.E.

Atlanta, Georgia 30309-3521

By: John Reg. No. 44,165

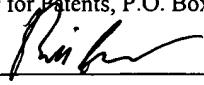
Date: June 29, 2006

Telephone: 404.572.4600

Facsimile: 404.572.5145

**Certificate of Mailing or Transmission**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 29, 2006.



\_\_\_\_\_  
William O. Isaacs, II, Reg. No. 44,165

